

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

PROGRESSIVE INTERNATIONAL  
CORPORATION,

Plaintiff,

v.

BIG LOTS, INC.,

Defendant.

Civil Action No. 2:17-cv-01046-TSZ

STIPULATION AND ORDER TO  
SUBSTITUTE PARTY DEFENDANT  
AND CHANGE CASE CAPTION

**STIPULATION**

This is a stipulation among Plaintiff Progressive International Corp. (“Progressive”), current Defendant Big Lots, Inc. (“Big Lots”) and substitute Defendant Big Lots Stores, Inc. (“Big Lots Stores”).

Big Lots represents that it is a parent holding company of Big Lots Stores, that it does not operate retail stores, and that its wholly-owned subsidiary Big Lots Stores operates retail stores in the Western District of Washington. Big Lots Stores agrees that it operates retail stores in the Western District of Washington, and that it should be the named party defendant.

Pursuant to Federal Rule of Civil Procedure 15, Progressive, Big Lots, and Big Lots Stores stipulate and agree that (1) the Complaint in this action shall be deemed amended to change the name of the party defendant to Big Lots Stores; (2) the Answer in this action shall be

STIPULATION AND ORDER - 1  
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1 deemed to be the answer on behalf of Big Lots Stores, and amended to change the name of the  
2 party defendant to Big Lots Stores; and (3) the caption in this matter shall be changed to remove  
3 Big Lots as a party defendant and to substitute Big Lots Stores, so that it reads "Progressive  
4 International Corporation, Plaintiff, v. Big Lots Stores, Inc., Defendant."

5 The foregoing stipulation is entered into this 19th day of September, 2017.

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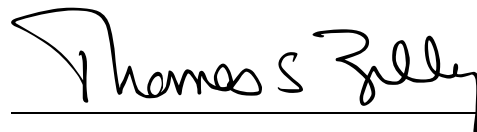
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*Attorneys for Defendant Big Lots, Inc. and Big  
Lots Stores, Inc.*

18 **ORDER**

19 It is so ordered.

20 DATED this 19th day of September, 2017.

21 

22 Thomas S. Zilly  
23 United States District Judge  
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